PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PU60604	FOR FURTHER ACTION	See item 4 below	
International application No. PCT/US2004/040668 International filing date (day/month/year) O3 December 2004 (03.12.2004) Priority date (day/month/year) O3 December 2003 (03.12.2003)		Priority date (day/month/year) 03 December 2003 (03.12.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant GLAXO GROUP LIMITED			

3. This report contains indications relating to the following items: Box No. I Basis of the report					
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead. 3. This report contains indications relating to the following items:	1.	1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis. 1(a).			
3. This report contains indications relating to the following items: Box No. I Basis of the report	2.	This REPORT consists of a total of 5 sheets, including this cover sheet.			
Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Box No. VI Certain documents cited Box No. VII Certain defects in the international application Box No. VIII Certain observations on the international application 4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 binot, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the prior date (Rule 44bis.2).		In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.			
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The International Bureau of WIPO 34, chemin des Colombettes Authorized officer Dorothée Mülhausen	34, chemin des Colombettes		lombettes		
1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35 Telephone No. +41 22 338 87 40	1211 Geneva 20, Switzerland		witzerland		

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

SOMA G. SIMON GERAXOSMITHKINE CORPORATE INTECLIECTUAL PROPERTY, UW2220 70 SWEDELAND ROAD, P.O. BOX 1539 KING OF PRUSSIA, PA 19406-0939 WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT rule 43bis.1) Date of mailing (daylmonth/year) 1 C DEC 2005 (PCT rule 43bis.1) Date of mailing (daylmonth/year) 2 DEC 2005 (PCT rule 43bis.1) Date of mailing (daylmonth/year) Priority (PCT rule 43bis.1) POR PURITHER ACTION See paragraph 2 below POR FUNDAL SEARCHING AUTHORITY (PCT) A61K 31/445, C07D 211/56 and US Cl.: 514/329, 546/223 Applicant GLAXO GROUP LIMITED 1. This opinion contains indisations relating to the following items: Box No. II Priority Box No. II Priority Box No. II Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention Box No. IV Lack of unity of invention Box No. VI Certain defects in the international application Box No. VI Certain defects in the international application Box No. VII Certain defects in the international application 2. FURTHER ACTION If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examinary Authority ("IPRA") except that this does not sply) where the applicant chooses an Authority ofter than this one to be 4 TPRA on the often IPRA has notified the international of the International Searching Authority ("IPRA") except that this does not sply) where the applicant chooses an Authority ofter han this one to be 4 TPRA and the choosen IPRA has notified the international form the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further details, see notes to Form PCT/ISA/220. Name and mailing address of the ISA/US Mail Stop PCT, Alis: RNUS Commerciales to Fratust 17 November 2005 (17.11.2005) Telephone No. 571-272-1600	From the INTERNATIONAL SEARCHING AUTHOTO:	DRITY		PCT REC'D 16 DEC 2	005
CORPORATE INTECLIECTUAL PROPERTY, UW2220 705 SWEDELAND ROAD, P.O. BOX 1539 KING OF PRUSSIA, PA 19406-0939 WRITTEN OFINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) Date of mailing (dephnonthyless) 1.5. P.C. 2405 Reparagraph 2 below PU60604 International application No. International filing date (dephnonthyless) See paragraph 2 below PURITHER ACTION See paragraph 2 below PURITHER ACTION FOR WRITTEN ACTION See paragraph 2 below PU80604 International application (IPC) or both national classification and IPC PCTL/S0440668 International Fall (dephnonthyless) See paragraph 2 below 93 December 2003 (03.12.2003) International Patient Classification (IPC) or both national classification and IPC PCTL/S0440668 International Patient Classification (IPC) or both national classification and IPC PCTL/S0440668 PCTL/S0440668 International Patients indications relating to the following items: BOX No. II Basis of the opinion BOX No. II Priority BOX No. II Priority BOX No. II Non-establishment of opinion with regard to novelty, inventive step and industrial applicability box No. II Non-establishment of opinion with regard to novelty, inventive step or industrial applicability in the BOX No. VI Certain defects in the international application supporting such statement BOX No. VI Certain defects in the international application 2. FURTHER ACTION If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Pure patient chooses an Authority other than this one to be 7; IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this international examination of 22 months from the experience of a month from the date of mailing of Form PCT/ISA/220. Name and mailing address of the ISA/US Date of completion of this opinion Authority of priors of the ISA/US Alexandria, Virginals 22313-1450 Passimile No. (5711) 273-23014 Passimile No. (5711) 273-23014 Passimi	SOMA G. SIMON			WIPO	
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Applicant's or agent's file reference PU60604 International application No. International filing date (day/month/pear) O3 December 2004 (03.12.2004) International prication (IPC) or both national classification and IPC IPC(T). A61K. 31/445, COTD 211/56 and US C1: 514/329; 546/222 Applicant IPC(T). A61K. 31/445, COTD 211/56 and US C1: 514/329; 546/222 Applicant I. This opinion contains indications relating to the following items: Box No. I. Basis of the opinion Box No. II. Priority Box No. II. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV. Leak of unity of invention Box No. VI. Reasoned statement under Rule 43/dt. 1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement Box No. VI. Certain documents cited Box No. VII. Certain observations on the international application 2. FURTHER ACTION If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be 4°; PIEA and the chosen IPEA has notified the International Bureau under Rule 66.16br(a) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, a written opinion of the IPEA a written explication; where exprovinged, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220. Name and mailing address of the ISA/US Commissioner for Februs Alexandris, Vinguias 2313-1459 Pacing Inc. A1272-1600 Pacing Inc. A1272-1600 Proposed Searching Authority Proposed Searching Authority and the social searching Authorit	709 SWEDELAND ROAD, P.O. BOX 1:	539	INTERNATIONAL SEARCHING AUTHORITY		
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If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220. Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201 It is does not apply where the applicant chooses an Authority will not be so considered. Date of completion of this opinion of 3 months from the date of mailing of Facsimile No. (571) 273-3201 Telephone No. 571-272-1600	The international complication				
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IPEA a written reply together, where appropriate, with antenants, of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220. 3. For further details, see notes to Form PCT/ISA/220. Name and mailing address of the ISA/ US Mail Stop PCT, Ath: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201 Date of completion of this opinion 17 November 2005 (17.11.2005) Telephone No. 571-272-1600	International Preliminary Examining Authority (TIPA) Extent that in a document of the International Bureau under Rule 66.1bis(b)				
3. For further details, see notes to Form PCT/ISA/220. Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201 Date of completion of this opinion Authorized officer 17 November 2005 (17.11.2005) Telephone No. 571-272-1600	of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.				
Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201 Date of completion of this opinion Authorized offices 17 November 2005 (17.11.2005) Telephone No. 571-272-1600	For further options, see Form PCT/ISA/220.				
Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201 Date of completation of this option. 17 November 2005 (17.11.2005) Telephone No. 571-272-1600	3. For further details, see notes to For	m PCT/ISA/220.			4
Mail Stop PCT, Athr. ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Name and mailing address of the ISA	US Date of comp	pletion of this opinion	Authorities L MXOKW	KT
P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201 Telephone No. 571-272-1600	Mail Stop PCT, Attn: ISA/US	1	r 2005 (17.11.2005)	e Flid Chang	VI
Facsimile No. (571) 273-3201	P.O. Box 1450			Telephone No. 571-272-1600	1.
	Facsimile No. (571) 273-3201				

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/40668

Box N	o. I Basis of this opinion
1. With	regard to the language, this opinion has been established on the basis of:
\boxtimes	the international application in the language in which it was filed
	a translation of the international application into, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With inven	regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed tion, this opinion has been established on the basis of:
8.	type of material
	a sequence listing
	table(s) related to the sequence listing
ъ.	format of material
	on paper
	in electronic form
c.	time of filing/furnishing
	contained in the international application as filed.
	filed together with the international application in electronic form.
	furnished subsequently to this Authority for the purposes of search.
3. 🔲	In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Addit	ional comments:
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	PAGA (227(Daw No. 1) (A - 1 2005)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US04/40668

Box No. IV Lack of unity of invention	
1. In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit: paid additional fees paid additional fees under protest and, where applicable, the protest fee paid additional fees under protest but the applicable protest fee was not paid	
4. Consequently, this opinion has been established in respect of the following parts of the international application: all parts. the parts relating to claims Nos. 1-14, n=1 piperidinium compounds	

Form PCT/ISA/237 (Box No. IV) (April 2005)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US04/40668

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement		
Novelty (N)	Claims 1-14	YES
	Claims NONE	NO
		VEC
Inventive step (IS)	Claims 1-14 Claims NONE	YES
	Clams NONE	
Industrial applicability (IA)	Claims 1-14	
	Claims NONE	NO
2. Citations and explanations:		
Claims 1-14 meet the criteria set out in PCT Article compounds. Prior art WO 02/48099 differ from the on the 4- position instead of 3-position of the piperi	e claims in they are not quarternery piperidinium	fairly suggest the instantly claimed compounds and the substitution is
Claims 1-14 meet the criteria set out in PCT Article be made or used in industry.	33(4), and thus have industrial applicability because	ause the subject matter claimed can
•		
Form PCT/ISA/237 (Box No. V) (April 2005)		